

8 DCCE0009/0993/F - ERECTION OF 7 NO. DWELLINGS COMPRISING 5 NO. OPEN MARKET HOUSES, 2 NO. AFFORDABLE HOUSES AND A NEW VEHICULAR ACCESS AT PLOUGH INN, LITTLE DEWCHURCH, HEREFORD, HEREFORDSHIRE, HR2 6PW

For: Mr. D. Howells per James Spreckley, MRICS FAAV, Brinsop House, Brinsop, Hereford, Herefordshire, HR4 7AS

Date Received: 13 May 2009

Ward: Hollington

Grid Ref: 53488, 31849

Expiry Date: 8 July 2009

Local Member: Councillor GFM Dawe

1. Site Description and Proposal

- 1.1 The application site is in the south-east corner of the village of Little Dewchurch behind the Plough Inn. The site for the proposed development is on land allocated in the Herefordshire Unitary Development Plan for housing. The allocated land extends to the land immediately north west of the application site which is an orchard. This land did form part of the previous two applications on the site. However the land is not in the applicant's ownership and therefore does not form part of this application. To the north and east of the application site is farmland, whilst to the south is the Plough Inn and the unclassified highway C1261.
- 1.2 The application site itself covers an area of 0.45 hectares, presently in use as agricultural grassland. On all but the southern boundary there are native mature vegetation in the form of hedgerows including a number of mature trees.
- 1.3 The proposal is for seven dwellings and associated car parking, access roads and landscaping. Five of the proposed dwellings are four-bedroom detached houses, whilst the other two are proposed as 'affordable housing' in-line with relevant Unitary Development Plan policy on affordable housing. They consist of a semi detached unit each providing three-bedroom accommodation. A new access to serve the dwelling is proposed from the unclassified highway C1262 over land which is currently used as the pub garden.

2. Policies

2.1 National Planning Policy Statement 3: Housing

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable Development
S2	-	Development Requirements
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
DR5	-	Planning Obligations

H4	-	Main Villages: Settlement Boundaries
H5	-	Main villages: Housing Land Allocations
H9	-	Affordable Housing
H13	-	Sustainable Residential Design
H15	-	Density
H16	-	Car Parking
H19	-	Open Space Requirements
LA2	-	Landscape Character and Areas Least Resilient to Change
NC1	-	Biodiversity and Development
NC8	-	Habitat Creation, Restoration and Enhancement
NC9	-	Management of Features of the Landscape Important for Fauna and Flora
RST3	-	Standards for Outdoor Playing and Public Open Space
RST5	-	New Open Space In/Adjacent to Settlements
CF2	-	Foul Drainage

3. Planning History

- 3.1 DCCE2006/2593/O Residential development comprising of 8 open market houses, 4 affordable houses, amenity / play area and new access to adoption standards. The application was withdrawn.
- 3.2 DCCE2005/2538/O Residential development comprising 9 open market houses 4 affordable houses, amenity/play area and new access. The application was withdrawn.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No comments made.

Internal Council Advice

- 4.2 Traffic Manager: 'In the absence of any speed survey, visibility splays of 2.4m x 90m would be required for 30mph limit. Footways would be needed to be provided on C1262 back to the junction on the north east side of the road and on both sides of the access road at tangent points. The proposed S106 contribution and uses is acceptable.'
- 4.3 Conservation Manager (Landscape): 'Herefordshire UDP 2007 states that for this development site 'the new development will need to take into account surrounding residents amenity and be sensitively designed to reflect the setting and architectural qualities of the Plough Inn'. I consider that the submitted layout and landscape design has failed to achieve this. The developer needs to give greater consideration to the landscape design to integrate this visually sensitive development with the surrounding landscape, and creating a building layout which appears more dispersed from viewpoints to the south and south-west. This could be achieved by creating a planting buffer or hedgerows between the plots, and between the development and The Plough Inn. A landscape strategy is needed to maintain the setting of The Plough Inn as an isolated wayside property, and integrate the surrounding rural landscape hedgerows and trees with the development, and looking ahead, to the potential development of the remnant orchard site. I therefore regret that I cannot support this application because it is contrary to the relevant Council's UDP policies.'

Following these comments an amended landscape scheme has been submitted. At the time of writing the report the Landscape Officer had not made any comments. This will be updated at the meeting.

- 4.4 Conservation Manager (Ecology): No response has been received at the time of writing the report.
- 4.5 Public Rights of Way Manager: 'The proposed erection of 7 dwellings would not appear to affect the use and enjoyment of public footpath LD14, which passes to the south-west of the application site, therefore no objections are raised.'
- 4.6 Children and Young Peoples Directorate: Requests a contribution to be made that would go towards the inclusion of all additional children generated by the development.
- 4.7 Parks and Countryside Manager: Requests a contribution towards improving quality/accessibility of the more natural and semi natural green space and recreational rights of way rather than the more formal public open space. A contribution has also been requested for improving local sports facilities in and around Hereford which would serve the catchment area.
- 4.8 Housing Development Officer: 'Strategic Housing in principle supports the application for 2 x 3 bedroom houses. All units are to be built to the Joseph Rowntree Foundation Lifetime Homes and the Housing Corporation's Design & Quality Standards 2007 and code 3 of sustainable homes without grant input. All units are to be allocated via Homepoint, Herefordshire Council's choice based lettings agency, to people with a local connection to Little Dewchurch in the first instance and then cascading out to adjoining parishes if an applicant from Little Dewchurch cannot be found. Strategic Housing has not had any contact with the developer with regards to the tenure of the properties but it would be proposed in the first instance that they would be for rented.'

5. Representations

- 5.1 Little Dewchurch Parish Council: Are in favour of the application, however have raised the following reservations:-
1. Access to the site - poor access route.
 2. Lack of detail regarding sustainable energy use and materials in the design to support a carbon neutral / 'green' environment.
 3. Concern regarding the loss of green space in the village.
 4. Design of units lacking information regarding the finish of the buildings whether stone or render or mixture of the two materials.
- 5.2 Five letters of objection/representation have been received, the points raised are as follows:-
- Siting of the proposed sewage plant in the residential area.
 - No demand for new houses.
 - No facilities for young families.
 - Loss of 'green' view into village.
 - Building outside of village envelope.
 - Dangerous access.
 - Impact on landscape.

The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

6.1 The main issues to consider are:

- The Principle of Development
- Density and Layout
- Residential Amenity

The Principle of Development

6.2 Little Dewchurch is classed as a main village in the Herefordshire Unitary Development Plan 2007 and as such, is deemed to have capacity to accommodate additional residential development. The application site, along with the adjoining orchard, is also allocated for development within the Unitary Development Plan under Policy H5 with an estimated capacity of 12 units. The principle of the site being developed for residential purposes is therefore established and acceptable.

Density and Layout

6.3 Policy H15 of the Unitary Development Plan requires sites outside of Hereford and the Market Towns to deliver residential development at a density of at least 30 dwellings per hectare. This coincides with advice within Planning Policy Statement 3 which also requires residential developments particularly on allocated sites to make the most efficient use of the land. The construction of 7 dwellings on the application site equates to a density of 15.625 units to the hectare. This amount is low when compared to national and local guidelines, however under Policy H5 the estimated dwelling capacity on the site was 12. This estimation was on the whole of the allocated site and took into consideration the rural character of the site and the surrounding built environment. Therefore the proposal for 7 dwellings is considered acceptable. The density is comparable to neighbouring historic and more recent residential developments within the village and therefore would not appear out of character with the area.

6.4 The layout of the development has largely been dictated by the access restrictions with only one point of access being available. It has also been dictated to a certain degree by the change in level across the site and the surrounding landscape context. To ensure the development creates an acceptable street scene from the C1261 highway all the properties are located above the building line of the Plough Inn, leaving the access into the site open. This reflects development to the north of the site where the street scene is also very open close to the village green. There will however be a number of trees planted behind the access point, which will shield the new properties from the highway.

6.5 The siting of the dwellings is staggered to reduce the visual impact on the landscape and also to reflect the angled shape of the site and the change in level across the site. Each property has adequate off street parking in the form of driveways with private gardens. The layout and siting of the dwellings have all been designed to safeguard the amenity of neighbouring properties.

6.6 The proposal offers five four bedroom detached properties, with the two affordable houses provided within a semi-detached building consisting of three-bedroom accommodation. Policy S3 in the Herefordshire Unitary Development Plan emphasises the need to provide a

range of dwelling types and sizes and taking advantage of opportunities to create and maintain sustainable and integrated communities. It is acknowledged that the application does not provided a range of dwelling types with all the open market housing being four bedroomed properties. However they do vary in size and design and overall given the density of the site and the allocated residential curtilage for each plot this is considered acceptable.

- 6.7 The detailed design of each of the proposed dwellings has taken its lead from the Plough Inn. All the properties proposed will be constructed from stone and coloured washed render under a tiled roof. In accordance with Policy H13 of the Herefordshire Unitary Development Plan the design of the proposed dwellings is considered to respect the landscape context of the site and the character and appearance of the locality. The proposed dwellings are considered to complement each other, blending in satisfactorily with the surrounding built environment and rural setting.
- 6.8 Having regard to the size and shape of the site and the changes in level, the density, layout and design are considered acceptable and will not appear out of character with the mixed residential environment in the vicinity.

Residential Amenity

- 6.9 The only residential property to share a boundary with the application site is Colwyn, which adjoins the highway. The layout of the proposed development ensures that none of the properties overlook the property or its garden. There are a number of other residential properties to the west of the site, however the separation distances between the existing residential properties boundaries and that of the proposed dwellings is such a distance that it is not considered that the proposal will result in an unacceptable level of overlooking or to have an overbearing impact.

Access and Highways Issues

- 6.10 The proposed new access to serve the proposed seven dwellings is located between the Plough Inn and the residential property Colwyn. The land currently forms part of the pub's garden. The speed limit at the point of access is 30mph. The Council's Traffic Manager has responded to the application requesting further details. Amended plans have been received showing a visibility splay of 2.4m x 90m however at the time of writing the report comments had not been received from the Traffic Manager with regards to the updated plans and an update will be given at the meeting.

Landscaping

- 6.11 A number of concerns have been raised over the impact of the development on the surrounding landscape and the views into the settlement. The application has been supported by a landscape scheme, which during the course of the application has been amended following request from the Council's Landscape Officer. At the time of writing the report the Conservation Manager had not commented on the amended scheme. The amended scheme looks ahead to potential development of the orchard and has introduced planting buffers between the plots with significant planting between the two affordable units and the Plough Inn. Conditions will be attached to any approval notice to ensure the scheme integrates with the surrounding rural landscape.

Planning Obligations

- 6.12 The application triggers a requirement for affordable housing provision, highway and sustainable transport infrastructure contribution, open space provision, local sports contribution, and local education improvements towards the local primary and youth element. The applicants have agreed to these in principle; recommended details can be found on the attached Draft Heads of Terms.

Conclusion

- 6.13 The proposal as a whole is considered acceptable in accordance with the relevant policies contained within the Herefordshire Unitary Development Plan and is therefore recommended for approval subject to satisfactory details being submitted in relation to the landscaping details and vehicle access.

RECOMMENDATION

1. **The Legal Practice Manager be authorised to complete a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 covering the matters detailed in the Heads of Terms appended to this report and any additional matters that he considers necessary and appropriate.**
2. **Upon completion of the aforementioned planning obligation that the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:**

That planning permission be granted subject to the following conditions:

1. **A01 (Time limit for commencement (full permission)).**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. **B03 (Amended plans).**
Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.
3. **C01 (Samples of external materials).**
Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.
4. **F14 (Removal of permitted development rights).**
Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H18 of Herefordshire Unitary Development Plan.
5. **G09 (Details of boundary treatments).**

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.

6. G10 (Landscaping scheme).

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

7. G11 (Landscaping scheme – implementation).

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

8. H03 (Visibility splays).

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

9. H05 (Access gates).

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

10. H06 (Vehicular access construction).

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

11. H09 (Driveway gradient).

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

12. H13 (Access, turning area and parking).

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

13. H21 (Wheel washing).

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

14. H27 (Parking for site operatives).

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

15. H29 (Secure covered cycle parking provision).

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

16. I16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

17. I22 (No surface water to public sewer).

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding so as to comply with Policy DR4 of Herefordshire Unitary Development Plan.

18. I51 (Details of slab levels).

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

Informatives:

- 1. N19 - Avoidance of doubt - Approved Plans.**
- 2. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

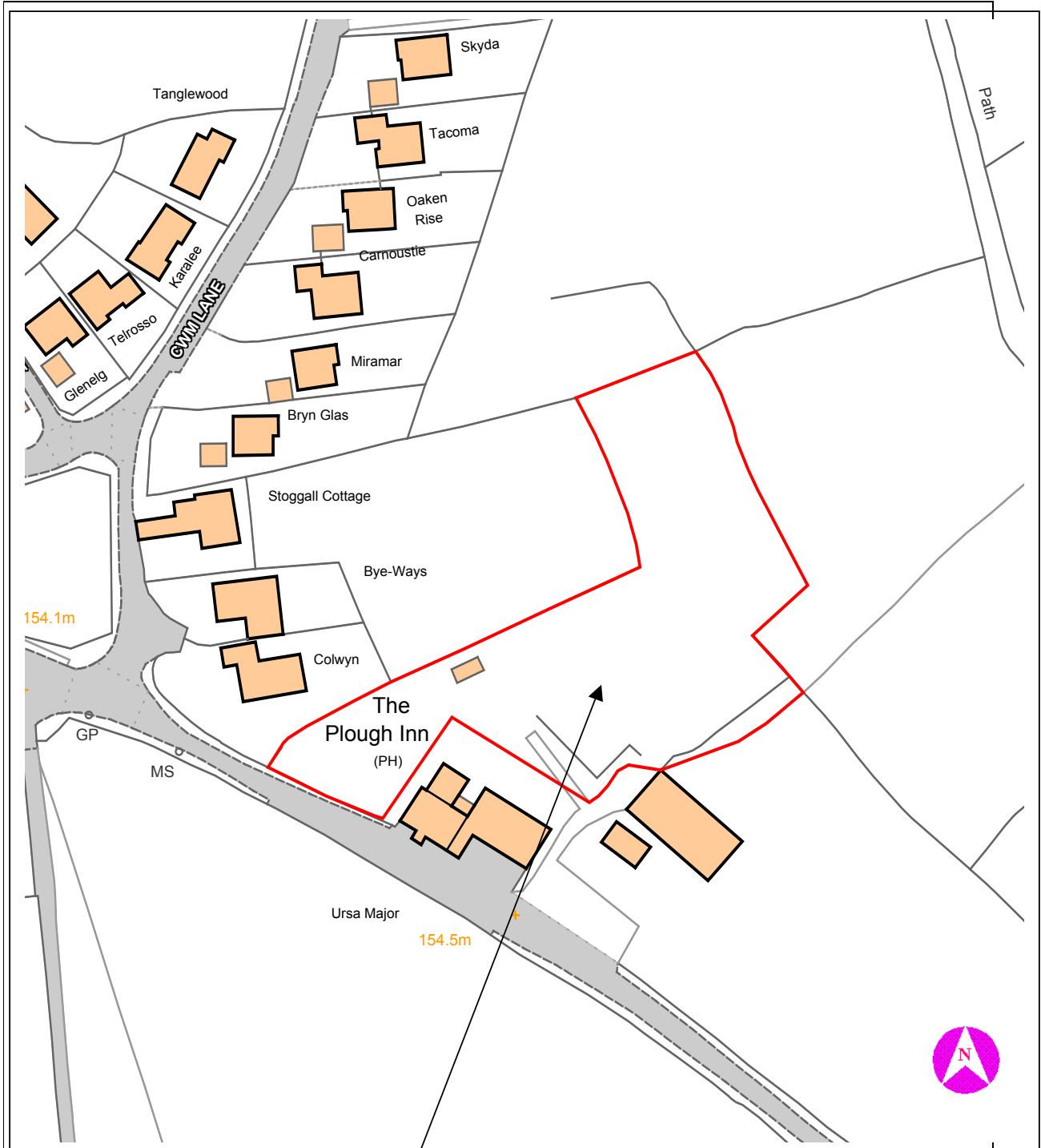
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE0009/0993/F

SCALE : 1 : 1250

SITE ADDRESS : Plough Inn, Little Dewchurch, Hereford, Herefordshire, HR2 6PW

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DRAFT HEADS OF TERMS
Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990

Planning application - DCCE0009/0993/F

Erection of 7 no. dwellings comprising 5 no. open market houses, 2 no. affordable houses and a new vehicular access on land to the rear of the Plough Inn, Little Dewchurch, Hereford, Herefordshire, HR2 6PW.

1. The developer covenants with Herefordshire Council, in lieu of a deficit in the provision of play, sport and recreation facilities on site to serve the development to pay Herefordshire Council the sum of £3,360 (contribution based around the requirements of policy H19 of the UDP and Sport England Sports Facilities Calculator). The money shall be used by Herefordshire Council for the provision of new play, sport and recreational facilities in the locality. The contribution includes 15 years maintenance costs.
2. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £24,763 to provide enhanced educational infrastructure/facilities for the South Hereford City Early Years, Little Dewchurch CE Primary School, Hereford Academy and South Wye Youth all of which are educational facilities within the catchment area of the application site. The sum shall be paid on or before the commencement of the development.
3. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £1,584 to provide enhanced formal or informal recreational or public open space within the Little Dewchurch Parish. The sum shall be paid on or before the commencement of development. The monies may be pooled with other contributions if appropriate.
4. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £19,660 for off site highway works and improved sustainable transport infrastructure (excluding that required to facilitate the development i.e. new access arrangements).
5. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - a) Traffic calming and improved signage
 - b) Traffic Regulations Order(s) to reduce speed limits and impose localised parking restrictions
 - c) Localised junction improvements
 - d) North Hereford Park and Ride
 - e) Contribution to improved bus service
 - f) Contribution to Safe Routes for Schools
 - g) Improved pedestrian and cyclist connectivity with the site
 - h) Improved pedestrian and cyclist crossing facilities
 - i) Initiatives to promote sustainable transport
6. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £1601 towards the enhancement of existing library services in Hereford City.

7. The developer covenants with Herefordshire Council to pay Herefordshire Council an additional administration charge of 2% of the total contributions detailed in this Heads of Terms to be used toward the cost of monitoring and enforcing the Section 106 Agreement.
8. In the event that Herefordshire Council does not for any reason use the said sum of Clauses 1, 2, 3, 4 and 6 for the purposes specified in the agreement within 10 years of the date of this agreement, and unless otherwise agreed in writing with the Council, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
9. The developer shall provide 2 affordable housing units, which meets the criteria set out in Section 5.5 of the Unitary Development Plan for Herefordshire and related policy H9 or any statutory replacement of those criteria and that policy. Both of the affordable units shall be made available for rent to people with a local connection to Little Dewchurch in the first instance and then cascading out to adjoining parishes. None of the Affordable Housing shall be occupied unless the Herefordshire Council has given its written agreement to the means of securing the status and use of these units as Affordable Housing. All the affordable housing units shall be completed and made available for occupation prior to the occupation of more than 50% of the other residential units on the development.
10. All of the financial contributions shall be Index linked and paid on or before commencement of the development.
11. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.

Rebecca Jenman
6 July 2009